

B2500A (Form 2500A) (12/15)

**United States Bankruptcy Court**  
**EASTERN District Of TEXAS**

<b>In re:</b>	Leo Edward Whalen	)	Case No. 15-41659
	Debtor	)	
	BILL HUDDLESTON	)	Chapter 7
	Plaintiff	)	
	v.	)	Adv. Proc. No. 16-4013
	Leo Edward Whalen	)	
	Defendant	)	

**SUMMONS IN AN ADVERSARY PROCEEDING**

**YOU ARE SUMMONED** and required to file a motion or answer to the complaint which is attached to this summons with the clerk of the bankruptcy court within 30 days after the date of issuance of this summons, except that the United States and its offices and agencies shall file a motion or answer to the complaint within 35 days.

Address of the clerk:

Tyler US Bankruptcy Clerk  
 9<sup>th</sup> Floor  
 110 N. College Ave  
 Tyler, TX 75702

At the same time, you must also serve a copy of the motion or answer upon the plaintiff's attorney. Name and Address of Plaintiff's Attorney:

David K Sergi  
 329 S. Guadalupe  
 San Marcos, TX 78666

If you make a motion, your time to answer is governed by Fed. R. Bankr. P. 7012.

**IF YOU FAIL TO RESPOND TO THIS SUMMONS, YOUR FAILURE WILL BE DEEMED TO BE YOUR CONSENT TO ENTRY OF A JUDGMENT BY THE BANKRUPTCY COURT AND JUDGMENT BY DEFAULT MAY BE TAKEN AGAINST YOU FOR THE RELIEF DEMANDED IN THE COMPLAINT.**



/s/ Jason McDonald

Date: 04/29/2016



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### CERTIFICATE OF SERVICE

I, **David K. Sergi**, certify that service of this summons and a copy of the complaint was made April 29, 2016 (date) by:

- XX** Mail service: Regular, first class United States mail, postage fully pre-paid, addressed to: Joe Edward Wheeler (7014 2870 0001 2960 87267)  
2905 Jordan Drive  
Dallas, TX 75205
- U** Personal Service: By leaving the process with the defendant or with an officer or agent of defendant at:
- U** Residence Service: By leaving the process with the following adult at:
- U** Certified Mail Service on an Insured Depository Institution: By sending the process by certified mail addressed to the following officer of the defendant at:  
Robert Demarco, atty for Joe Wheeler  
1255 W. 1st 15th Street, Ste 805  
Plano, TX 75075 (7014 2870 0001 2960 87337)
- U** Publication: The defendant was served as follows: [Describe briefly]
- U** State Law: The defendant was served pursuant to the laws of the State of \_\_\_\_\_, as follows: [Describe briefly]

If service was made by personal service, by residence service, or pursuant to state law, I further certify that I am, and at all times during the service of process was, not less than 18 years of age and not a party to the matter concerning which service of process was made.


Under penalty of perjury, I declare that the foregoing is true and correct.

Date 4/29/16 Signature David K. Sergi

Print Name: David K. Sergi

Business Address: 329 S. Guadalupe  
San Marcos, TX 78666

7014 2870 0001 2960 8726

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Your item was delivered at 10:12 am on May 4, 2016 in PLANO, TX 75075.		
May 3, 2016 , 11:08 pm	Departed USPS Facility	NORTH TEXAS PROCESSING AND DISTRIBUTION CENTER
May 3, 2016 , 12:29 pm	Arrived at USPS Facility	NORTH TEXAS PROCESSING AND DISTRIBUTION CENTER
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May 2, 2016 , 9:59 pm	Arrived at USPS Origin Facility	AUSTIN, TX 78710
May 2, 2016 , 6:27 pm	Departed Post Office	SAN MARCOS, TX 78666
May 2, 2016 , 12:33 pm	Picked Up	SAN MARCOS, TX 78666

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Article Addressed to:

*Robert Remance*  
*Remance - Mitchell*  
*255 West 15th Street*  
*Suite 805*  
*DARTMOUTH 75075*

**COMPLETE THIS SECTION ON DELIVERY**

A. Signature ☒ Agent ☐ Addressee

B. Received by (Printed Name) *Robert Remance* C. Date of Delivery *5/4/16*

D. Is delivery address different from item 1? ☐ Yes ☐ No

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Article Number

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